

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
GARDEN GROVE PLANNED UNIT DEVELOPMENT
(LD2004-0030; CU2004-0021; FS2004-0017; TP2004-0018)**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Planning Commission Decision and Order, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the four (4) submitted applications as identified below:

- All eleven (11) criteria are applicable to the submitted Land Division application, LD2004-0030.
- The Conditional Use application, CU2004-0021, only is applicable to criteria #3, #4, and #11.
- The Flexible Setback application, FS2004-0017, only is applicable to criteria #3 and #11.
- The Tree Plan application, TP2004-0018, only is only is applicable to criteria #11.

1. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.*

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection.

The applicant states that all public improvements including water lines, water services, hydrants, sanitary sewer, storm facilities, street lights, and street signs have been or can be improved to provide adequate capacity to serve the proposed development.

Public water is served by Tualatin Valley Water District, which the applicant state there is adequate capacity to serve the project at the time of its completion. City of Beaverton administers the sanitary and storm sewer services. The City Development Services Engineer has reviewed the applicant's utility and grading plans and has provided a list of conditions in response to these plans to ensure adequate critical facilities are provided and installed. The conditions includes the requirement for storm filters with the proposed storm water system to ensure the proposed design addresses storm water quality issues. Therefore, the Committee finds that utilities will be adequate, subject to the conditions of approval requiring construction to meet City standards.

A traffic analysis was not required of this development. The trip generation of the proposed 15 lot subdivision is not great enough to meet the threshold requirement (Development Code Sec 60.55.20. Traffic Analysis). The surrounding street system will adequately accommodate the traffic from this development. SW Canby Street, currently not improved to current city standards, is classified as a Neighborhood Route and SW Multnomah Boulevard, within the city limits of the City of Portland, is classified as an Arterial Street. The site will be accessed with one public street connection to SW Canby Street and one future connection to SW Multnomah Boulevard, at the time of redevelopment of the adjoining property to the southeast. The site will have emergency access to SW Multnomah Boulevard through a private street connection. The applicant is conditioned to provide additional right of way and construction of the south half of SW Canby Street to Neighborhood Route standards for the frontage of the site. The City of Portland does not request any improvements within the right of way of SW Multnomah Boulevard.

Tualatin Valley Fire and Rescue have provided no comments to the project at this time. Further, TVF&R will need to sign off on the site development permit prior to its issuance.

Staff finds that the development meets the requirements of Development Code Section 60.55.10.

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

- 2. *Essential facilities and services are available or can be made available prior to occupancy of the development. In lieu of providing essential facilities and services, a specific plan strategy may be submitted that demonstrates how these facilities, services, or both will be provided within five years of occupancy.***

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and

pedestrian and bicycle facilities in the public right-of-way. The applicant's plans and materials were forwarded to the Beaverton School District, the City Transportation staff, City Police Department, and Tualatin Valley Fire and Rescue.

The proposal includes curb tight sidewalks on the proposed street of SW Kelsi, but no bike lanes are proposed for this local street. The City of Beaverton Police will serve the development site. The Police Department provided no comments to the development applications.

The City Operations Department has commented on the street design with regards to the accessibility of their street sweeper to clean Kelsi Avenue. Operations will require the applicant to transition the corner west of lot # 15 and lot #11 to meet Engineering Design Standards to allow the street sweeper to maneuver the street. Operations will also require the applicant to demonstrate that there is a minimum of 21-feet turning radius at the southern end of Kelsi Avenue to allow the street sweeper to turn around.

There are no bus routes on SW Canby Street or Multnomah Boulevard. The closest bus route is in SW Garden Home Road with Tri-Met Bus Lines #45. The Committee has not received comments from Tri-Met regarding any potential transit improvements requirements within the project's scope.

Staff find adequate essential facilities are available or can be made available to serve the site.

Therefore, the Committee find the proposal meets the criterion for approval.

3. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal.*

Staff cite the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the R-7 zone, as applicable to the above mentioned criteria. As demonstrated on the chart, the applicant is requesting approval of a Planned Unit Development through Conditional Use application to deviate from many of the Site Development requirements of Section 20.05.50 of the Development Code and a Flexible Setback application to deviate from the setback requirements of the parent parcel as part of the Planned Unit Development.

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

4. ***The proposal is consistent with all applicable provisions of Chapter 60 (Special Regulations) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Regulations) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

Development Services staff cite the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, as applicable to the above mentioned criteria.

The application is conditioned to provide additional right of way and construction of the south half of SW Canby Avenue to Neighborhood Route Standards for the frontage of the site (Development Code Section 60.55.10).

The applicant has requested approval from the City Engineer and City Transportation Engineer for modifications to the standards in the Engineering Design Manual and Standard Drawings as allowed in Section 145.1.2, DESIGN MODIFICATIONS. The request is to allow curb tight sidewalks on both sides of proposed SW Kelsi Avenue and reduce the Local Street L2 Standard right of way from 52 feet to 40 feet, eliminating the planter strips and constructing curb tight sidewalks. The applicant states that the justification for the modification is to maximize the individual lot size on this constrained site.

Drawings of the modifications have been included as part of the applicant's plan set. The above-described modifications have been reviewed by the City Engineer and the City Transportation Engineer. Based on the evidence presented by the applicant, the street modifications do not meet the design modification approval criteria found in Section 145.1.2, Engineering Design Manual and Standard Drawings. At this time, no evidence has been presented by which to conclude that topography, right of way or geographical conditions or impediments are in existence that would impose an undue economic hardship on the applicant, or that a change of the standard is necessary to address a problem that would impose other undue hardships on the applicant.

The public and private streets will be posted no-parking in the sections that are 20 foot in width (L-2 Local Street Standard).

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

5. ***Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency;***

The applicant states the PUD will provide conditions, covenants, and restrictions that will ensure continued periodic maintenance for the private street, common open space areas and facilities, and street lighting. The application will comply with Chapter 60.15.10.4 Homeowner Associations and Declarations which states: When a Homeowner's Association Agreement or other restrictive covenants are to be recorded with the development; a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained and that other restrictions required by the City are included. By reviewing, the Homeowner Associations and Declarations staff will be assured that continued periodic maintenance and necessary normal replacement not subject to periodic maintenance by the City or other public agency will take place.

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

6. ***There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site.***

The applicant states the project provides a safe and efficient vehicular and pedestrian circulation pattern within the boundaries of the site. Kelsi Avenue is not currently a through street; thus, not allowing vehicles to access Multnomah Boulevard directly. In addition, the project, as proposed, contains a private street (Tract "B") and an access point for emergency vehicles directly to Multnomah Boulevard. The applicant's dimensioned site plan shows 20 foot setbacks for all lots from the garage to the right-of-way. To ensure cars parking in the driveway of these lots do not cross the sidewalk, staff recommend a condition requiring a minimum setback of 18.5 feet for the garage area. The site will have safe and efficient vehicular and pedestrian circulation patterns, in conformance with Development Code Sec 60.55.25

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

7. ***The on-site vehicular and pedestrian circulation system connects to the surrounding circulation system in a safe, efficient, and direct manner.***

The site as proposed has adequate internal vehicular circulation, in conformance with Development Code Section 60.55.25, and adequate internal pedestrian circulation, in conformance with Development Code Section 60.55.25.

Therefore, the Committee find the proposal meets the criterion for approval.

8. ***Structures and public facilities and services serving the site are designed in accordance with adopted City codes and standards at a level which will provide adequate fire protection, including, but not limited to, fire flow, and protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development;***

The applicant states the project engineer will design the necessary public facilities servicing the site according to adopted City Codes and standards, as well as other service agencies. The applicant's proposal includes emergency access to Multnomah Boulevard which will allow adequate fire protection while maintaining the open space requirements for the PUD. The City's "as-built" drawings indicate that there is an adequate water supply to serve the site in case of fire. Fire hydrants will be placed at a maximum of 500-feet along the public and private streets. Further, the proposal will need to show compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with TVF&R standards.

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

9. ***Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant states the project grading plan is designed for sanitary sewer service, water service, and storm water detention, treatment and dispersal in compliance with the current City of Beaverton standards. In addition, the applicant states that the preliminary grading and erosion control plan demonstrates a methodology for contouring the site, and constructing the street to meet current City of Beaverton standards.

The applicant has also applied for a street design modification to construct curb tight sidewalks, claiming that site constraints are present that prevent the proposal from meeting City street design standards without undue hardship. The City Engineer has reviewed the request and has denied the construction of curb tight sidewalks for Kelsi Avenue. The applicant has been granted a Street Design Modification for the northern 200-feet (approximately) of the street to allow sheet flow drainage. This modification will be in place until such time the property to the northeast develop and will be required to construct street improvements.

Further, to ensure future grading will not result in adverse impacts to the surrounding area, the Committee recommends a standard condition of approval that require detailed grading and drainage information to be provided with the Site Development Permit.

Therefore, the Committee find that by meeting the conditions of approval the criterion for approval will be met.

10. *That access and facilities for physically handicapped people are incorporated into the site and building design, with particular attention to providing continuous, uninterrupted access routes.*

The applicant states the proposal provides sidewalks and ramps to accommodate handicap access meeting ADA standards. Conformance with applicable requirements of the Building Code, including handicap accessibility, must be demonstrated prior to issuance of Building permits. This is in conformance with Development Code Section 60.55.65.

Therefore, the Committee find the proposal meets the criterion for approval.

11. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

The applicant submitted the applications on October 14, 2004 and was deemed complete on November 10, 2004. In the review of the materials during the application review, the Committee find that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee find the proposal meets the criterion for approval.